

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of D.D.S., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PAULA LYNN SHARPER,

Respondent-Appellant,

and

DERRALD JOHNSON,

Respondent.

UNPUBLISHED

April 23, 2002

No. 233805

Wayne Circuit Court

Family Division

LC No. 99-381840

Before: Gage, P.J., and Griffin and G. S. Buth*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the trial court's order terminating her parental rights to her child under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j).¹ We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL

¹ The trial court's order also terminated the parental rights of respondent Derrald Johnson, the child's putative father. Johnson has not appealed the trial court's order.

* Circuit judge, sitting on the Court of Appeals by assignment.

712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.* at 356-357.

We hold that the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination of respondent-appellant's parental rights. The evidence showed that respondent-appellant left the child without adult supervision for extended periods of time, notwithstanding the fact that the child is autistic and requires constant monitoring and assistance with the basic tasks of life. The evidence showed that respondent-appellant was unemployed and had no permanent home. Her addiction to crack cocaine prevented her from caring for the child. Respondent-appellant took no steps to address her addiction or to stabilize her life. She did not visit with her child after he entered foster care.

The trial court did not clearly err in finding that termination of respondent-appellant's parental rights was warranted on the grounds of desertion, MCL 712A.19b(3)(a)(ii), that the conditions that led to adjudication continued to exist and were not reasonably likely to be rectified within a reasonable time considering the child's age, MCL 712A.19b(3)(c)(i), that respondent failed to provide proper care or custody, and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that it was reasonably likely the child would be harmed if returned to respondent-appellant's care, MCL 712A.19b(3)(j). The evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCR 5.974(I); *Trejo*, *supra*.

Affirmed.

/s/ Hilda R. Gage
/s/ Richard Allen Griffin
/s/ George S. Buth